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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,793	03/15/2004	Earl H. Bullock		9203

7590 08/25/2005

Ted Masters
5121 Spicewood Drive
Charlotte, NC 28227

EXAMINER

LEGESSE, NINI F

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Talton

Office Action Summary	Application No. 10/800,793	Applicant(s) BULLOCK, EARL H.	
	Examiner Nini F. Legesse	Art Unit 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 18-29 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 18-29 is/are rejected.
7) ☒ Claim(s) 29 is/are objected to.
8) ☒ Claim(s) 1-8 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's response to the office action of 01/27/05 is acknowledged on 06/13/05.

Claim Objections

Claim 29 is objected to because of the following informalities: the claim should end with a period. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Demott et al. (US Patent No. 6,774,067).

Regarding claims 18, 25 and 28, Demott discloses a pad comprising a flexible sheet (2), said flexible sheet fabricated from a layer of polyester fabric (4) backed with a layer of open cell rubber (6, column 4 line 62 discloses that the rubber may be foamed) a putter toe line (the horizontal top edge area as shown on Fig. 1 could be considered as a putter toe line), a putter heel line (the horizontal bottom edge area as shown on Fig. 1 could be considered as a putter heel line). Demott fails to explicitly state if said flexible sheet has a thickness of no greater than one sixteenth of an inch. However, in column 4 lines 60-65, Demott discloses that his rubber backing of the mat could have a thickness

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of 0.5-3 mm. (.019 inch -.118 inch). And in column 6 lines 45+ he indicates that the fabric layer in a drip mat is a relatively thin layer. Thus, based on the thickness and the variety of utilities discussed in the reference, it would have been obvious, if not already, to provide the claimed thickness for the purpose of adapting to the multiple kinds of usages as listed in columns 12 and 13 of the reference. In addition, it would have been obvious to provide the recited thickness in order to reduce the shipping cost of the device. The thinner the device, the lesser the shipping cost. Regarding the intended use set forth in the preamble, the pad inherently is capable of being used as a putting pad. Applicant is not claiming a process. See MPEP 2112.

Regarding claims 19, 20 and 29, depending the length of the pad to be used, the pad is obviously roll able in a form of cylindrical shape to any diameter and would lie flat upon a support surface.

Regarding claims 21, 22, and 26, since the exact spacing between the putter lines is not given, the spacing of the lines shown, as margin 10 in Fig. 1 appears to meet the claimed limitations. And the area-surrounding sheet 2 as shown on Fig. 4 is considered as outside boundary. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the apparatus of Demott with any distance including five inches for the claimed perpendicular distance depending where and how the mat is wished or intended to be used.

Regarding claims 23 and 27, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the apparatus of Demott with any

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line thickness including quarter of an inch in order to make the device pleasing to the eyes.

Regarding claim 24, see all the above rejections.

Response to Arguments

Applicant's arguments with respect to claims 18-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nini F. Legesse whose telephone number is (571) 272-4412. The examiner can normally be reached on 9 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on (571) 272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nini F. Legesse

08/16/05